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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,265	01/06/2005	Kazuyasu Nishikawa	261268US2PCT	5085
22850	7590	09/19/2006	EXAMINER	
C. IRVIN MCCLELLAND OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LEE, EDDIE C H	
			ART UNIT	PAPER NUMBER
			2811	

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/520,265		NISHIKAWA ET AL.	
	Examiner		Art Unit	
	Eddie C. Lee		2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 9, it cannot be determined whether the “plurality of interconnection layers” is referring to the “corresponding plural planes” of claim 6 or something different. If it is something different, than it is not understood what these layers are.

Regarding claim 12, it cannot be determined whether the “first and second component each having a perimeter that is partially opened” is referring to the “opening” of claim 6, or something different. If it is something different, than it is not understood what is being referred to as “partially opened.”

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Noriyuki (JP 2003-068862 submitted in the IDS filed on Jan. 6, 2005).

Regarding claims 6 and 10, in at least Figs. 1 and 2, Noriyuki discloses a semiconductor device comprising a semiconductor substrate 6, and an inductor 2 provided with a first conductor interconnection formed spirally on the substrate. Noriyuki further discloses a shield, readable on 4, 5, 11 and the metal layers connecting each of the metal vias 4, is provided with a second conductor interconnection in a ring having a continuous configuration provided along an outer periphery of the spiral pattern of the inductor except for an opening, see Fig. 1, in a portion of the second conductor interconnection where the second conductor is electrically connected to ground potential 1. Note Fig. 2 where Noriyuki shows the shield having a plurality of components, metal layers and vias, extending in corresponding plural planes.

Regarding claim 7, Fig. 1 shows the interconnection width of the shield 11 is more than a size of the spacing of the spiral pattern of the inductor, and less than a radius of the spiral pattern of the inductor.

Regarding claim 8, Fig. 2 shows a distance between the shield, far right shield 11, and an outer border of the interconnection of the far right inductor 2 is equal to a spacing of the spiral pattern of the inductor.

Regarding claim 9, Noriyuki discloses a plurality of interconnection layers 8, and there are or is a shield formed in a different interconnection layer from the interconnection layer in which the inductor 2 is formed.

Regarding claim 11, Fig. 2 shows the interconnection width of the shield, metal layers between 5 and 11, is equal to a size of an interconnection width of the inductor.

Regarding claim 12, as best the examiner is ascertain the claimed invention, Fig.1 shows first and second component each having a perimeter that is partially opened, and since these openings are diametrically opposed to one another, they "are not superposed in a stacked state."

Response to Amendment

Applicant's arguments with respect to claims 6-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication should be directed to Eddie C. Lee at telephone number 571-272-1732.

A handwritten signature in black ink, appearing to read 'Eddie Lee', is positioned above the printed name and title.

EDDIE LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800